

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
DELTA DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 2:06CR008-P-B

DANIEL FORD,

DEFENDANT.

ORDER CONTINUING TRIAL

This matter comes before the court upon Defendant's Motion to Continue Trial Date and Pretrial Deadlines [12-1]. Upon due consideration of the motion, the court finds as follows, to-wit:

Trial is currently set for April 10, 2006. Defense counsel was appointed via the CJA Panel on February 28, 2006. Counsel informs the court that the defendant has retained another lawyer to represent him and needs a continuance in order to accommodate the substituted counsel. The Government has no objection to the continuance.

The above circumstances enable the Court to exclude, pursuant to 18 U.S.C. section 3161(h)(8)(A), the period of delay from April 10, 2006 until the new trial date to be set in this matter. The time is excludable under subsection (h)(8)(A) because, given the circumstances described above, a continuance is necessary to afford the defendant's counsel more time to adequately prepare for his client's defense. As such, the ends of justice served by the granting of this continuance outweigh the best interests of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED AND ADJUDGED that:

- (1) Defendant's motion for continuance of trial [12-1] is hereby **GRANTED**;
- (2) Trial of this matter is continued until Monday, May 22, 2006 at 9:00 a.m. in the

United States Courthouse in Greenville, Mississippi;

- (3) The delay from April 10, 2006 to May 22, 2006 is excluded from Speedy Trial Act considerations as set out above;
- (4) The deadline for filing pretrial motions is May 1, 2006; and
- (5) The deadline for submitting a plea agreement is May 8, 2006.

SO ORDERED, this 4th day of April, A.D., 2006.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE